

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Charles C.,¹

Civ. No. 22-2054 (JWB/DJF)

Plaintiff,

v.

Kilolo Kijakazi, *Acting Commissioner of
the Social Security Administration*,

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Defendant.

Bryan Konoski, Esq., Kira Treyvus, Esq., Konoski & Partners, P.C.; James H. Greeman, Esq., Greeman Toomey, counsel for Plaintiff.

Ana H. Voss, Esq., United States Attorney's Office; Emily Carroll, Esq., and James D. Sides, Esq., Social Security Administration, counsel for Defendant.

United States Magistrate Judge Dulce J. Foster issued a Report and Recommendation ("R&R") on May 31, 2024. (Doc. No. 49.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The May 31, 2024 R&R (Doc. No. 49) is **ACCEPTED**;
2. Plaintiff's Motion for Authorization of Attorney Fees Pursuant to 42 U.S.C.

¹ This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in social security appeals.

§ 406(b) (Doc. No. 43) is **GRANTED**; and

3. Plaintiff's counsel shall be awarded \$31,802 in fees, reduced by the Court's original Equal Access to Justice Act ("EAJA") fee award of \$8,000, for a net total fee of **\$23,802**, to be paid from Plaintiff's past-due benefits, pursuant to 42 U.S.C. § 406(b).

Date: July 9, 2024

s/ Jerry W. Blackwell

JERRY W. BLACKWELL

United States District Judge